

**BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation)
Against:)
)
)

ROBERT ELDON WRIGHT, M.D.)

File No. 16-2005-164587

Physician's and Surgeon's)
Certificate No. c 50474)
)
)

Respondent)
_____)

DECISION

The attached Stipulated Surrender of License and Order is hereby adopted as the Decision and Order of the Division of Medical Quality of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on May 12, 2006

IT IS SO ORDERED May 5, 2006

MEDICAL BOARD OF CALIFORNIA

By: _____

Ronald L. Moy, M.D., Chairman

Panel B

Division of Medical Quality

1 BILL LOCKYER, Attorney General
of the State of California
2 JOSE R. GUERRERO
Supervising Deputy Attorney General
3 JANE ZACK SIMON, State Bar No. 116564
Deputy Attorney General
4 California Department of Justice
455 Golden Gate Avenue, Suite 11000
5 San Francisco, CA 94102-7004
Telephone: (415) 703-5544
6 Facsimile: (415) 703-5480

7 Attorneys for Complainant

8 **BEFORE THE**
9 **DIVISION OF MEDICAL QUALITY**
10 **MEDICAL BOARD OF CALIFORNIA**
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

11 In the Matter of the Accusation Against:

12 **ROBERT ELDON WRIGHT, M.D.**
13 7447 East Berry Avenue
Greenwood Village, CO 80111

14
15 Physician and Surgeon's
16 Certificate No. C50474

17
18 Respondent.

Case No.16-2005-164587

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

19 IT IS HEREBY STIPULATED AND AGREED by and between the parties in this
20 proceeding that the following matters are true:

21 1. David T. Thornton (Complainant) is the Executive Director of the Medical
22 Board of California, and maintains this action solely in his official capacity. Complainant is
23 represented in this matter by Bill Lockyer, Attorney General of the State of California, by Jane
24 Zack Simon, Deputy Attorney General.

25 2. Robert Eldon Wright, M.D. (Respondent) is represented in this proceeding
26 by Gary B. Blum of Silver & DeBoskey, 1801 York Street, Denver, CO 80206.

27 ///

28 ///

1 3. Respondent has received, read, discussed with his attorney and
2 understands the Accusation which is presently on file and pending in case number 16-2005-
3 164587, a copy of which is attached as Exhibit A.

4 4. Respondent has carefully read and understands the charges and allegations
5 in Accusation No. 16-2005-164587. Respondent also has carefully read, discussed with his
6 attorney and understands the effects of this Stipulated Surrender of License and Order.

7 5. Respondent is fully aware of his legal rights in this matter, including the
8 right to a hearing on the charges and allegations in the Accusation; the right to be represented by
9 counsel, at his own expense; the right to confront and cross-examine the witnesses against him;
10 the right to present evidence and to testify on his own behalf; the right to the issuance of
11 subpoenas to compel the attendance of witnesses and the production of documents; the right to
12 reconsideration and court review of an adverse decision; and all other rights accorded by the
13 California Administrative Procedure Act and other applicable laws.

14 6. Respondent voluntarily, knowingly, and intelligently waives and gives up
15 each and every right set forth above.

16 7. Respondent agrees that based on the action taken by the Colorado State
17 Board of Medical Examiners, cause exists to discipline his California physician and surgeon's
18 certificate pursuant to Business and Professions Code sections 141 and 2305. Respondent lives
19 and practices in Colorado and is in compliance with the terms and conditions of his Colorado
20 probation. He has no present intention of practicing medicine in California and wishes to
21 surrender his California license.

22 8. Respondent understands that by signing this stipulation he is enabling the
23 Medical Board of California to issue its order accepting the surrender of license without further
24 process. He understands and agrees that Board staff and counsel for Complainant may

25 ///

26 ///

27 ///

28 ///

1 communicate directly with the Board regarding this stipulation, without notice to or participation
2 by Respondent or his counsel. In the event that this stipulation is rejected for any reason by the
3 Board, it will be of no force or effect for either party. The Board will not be disqualified from
4 further action in this matter by virtue of its consideration of this stipulation.

5
6 9. Upon acceptance of this stipulation by the Board, Respondent understands
7 that he will no longer be permitted to practice as a physician and surgeon in California, and also
8 agrees to surrender and cause to be delivered to the Board any license and wallet certificate in
9 his possession before the effective date of the decision.

10 10. The admissions made by Respondent herein are only for the purposes of
11 this proceeding, or any other proceedings in which the Medical Board or other professional
12 licensing agency is involved, and shall not be admissible in any other criminal or civil
13 proceeding.

14 11. Respondent fully understands and agrees that if he ever files an
15 application for relicensure or reinstatement in the State of California, the Board shall treat it as a
16 petition for reinstatement, and Respondent must comply with all laws, regulations and
17 procedures for reinstatement of a revoked license in effect at the time the petition is filed.

18 12. Respondent understands that he may not petition for reinstatement as a
19 physician and surgeon for a period of three (3) years from the effective date of his surrender.
20 Information gathered in connection with Accusation number 16-2005-164587 may be
21 considered by the Division of Medical Quality in determining whether or not to grant the
22 petition for reinstatement. For the purposes of the reinstatement hearing, the allegations
23 contained in Accusation number 16-2005-164587 shall be deemed to be admitted by Respondent,
24 and Respondent waives any and all defenses based on a claim of laches or the statute of
25 limitations.

26 13. The parties understand and agree that facsimile copies of this Stipulated
27 Surrender of License, including facsimile signatures thereto, shall have the same force and effect

28 //

1 as the originals.

2 ///

3 ///

4 ///

5 ///

6 ///

7 ACCEPTANCE

8 I have carefully read the above stipulation. I enter into it freely and voluntarily
9 and with full knowledge of its force and effect, do hereby surrender my Physician and Surgeon's
0 Certificate Number C50474 to the Division of Medical Quality, Medical Board of California, for
1 its formal acceptance. By signing this stipulation to surrender my license, I recognize that upon
2 its formal acceptance by the Board, I will lose all rights and privileges to practice as a physician
3 and surgeon in the State of California and I also will cause to be delivered to the Board any
4 license and wallet certificate in my possession before the effective date of the decision.

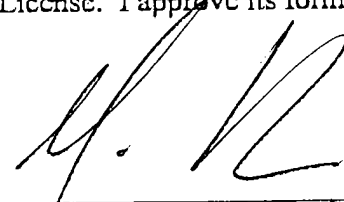
5
6 DATED: 3/28/06

7
8 
9 ROBERT ELDON WRIGHT, M.D.
0 Respondent

1 APPROVAL

2 I have fully read and discussed with respondent Robert Eldon Wright, M.D. the
3 provisions of this Stipulated Surrender of License. I approve its form and content.

4
5 DATED: 3/30/06

6
7 
8 GARY B. BLUM


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Division of Medical Quality, Medical Board of California.

DATED: 4/7/06.

BILL LOCKYER, Attorney General
of the State of California


JANE ZACK SIMON
Deputy Attorney General

Attorneys for Complainant

Exhibit A

BILL LOCKYER, Attorney General
of the State of California
JANE ZACK SIMON
Deputy Attorney General [SBN 116564]
455 Golden Gate Avenue, Suite 11000
San Francisco, California 94102
Telephone: (415) 703-5544
Facsimile: (415) 703-5480

Attorneys for Complainant

BEFORE THE
DIVISION OF MEDICAL QUALITY
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 16-2005-164587

ROBERT ELDON WRIGHT, M.D.,
7447 East Berry Avenue
Greenwood Village, CO 80111

ACCUSATION

Physician and Surgeon's
Certificate No. C50474

Respondent.

The Complainant alleges:

PARTIES

1. Complainant David T. Thornton is the Executive Director of the Medical Board of California (hereinafter the "Board") and brings this accusation solely in his official capacity.

2. On or about September 14, 2000, Physician and Surgeon's Certificate No. C50474 was issued by the Board to Robert Eldon Wright, M.D. (hereinafter "respondent"). Respondent's certificate is renewed and current with an expiration date of April 30, 2006.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

14
15
16
17
18
19
20
21
22
23
24
25
26
27

19
20
21
22
23
24
25
26
27

20
21
22
23
24
25
26
27

27

1 "(b) Nothing in this section shall preclude a board from applying a
2 specific statutory provision in the licensing act administered by the board that provides
3 for discipline based upon a disciplinary action taken against the licensee by another state,
4 an agency of the federal government, or another country."

5 E. Welfare and Institutions Code section 14124.12 provides, in part, that a
6 physician whose license has been placed on probation by the Medical Board shall not be
7 reimbursed by Medi-Cal for "the type of surgical service or invasive procedure that gave
8 rise to the probation."

9 4. Respondent is subject to discipline within the meaning of section 141 and
10 is guilty of unprofessional conduct within the meaning of section 2305 as more particularly set
11 forth herein below.

12 **FIRST CAUSE FOR DISCIPLINE**

13 (Discipline, Restriction, or Limitation Imposed by Another State)

14 5. On or about January 18, 2005, the Colorado State Board of Medical
15 Examiners issued a Stipulation and Final Agency Order regarding respondent's license to
16 practice medicine in Colorado. Pursuant to the terms of the Stipulation and Final Agency Order,
17 respondent's Colorado license was placed on probation for five years, with terms and conditions
18 including abstinence from drugs and alcohol, substance abuse treatment, participation in a
19 substance abuse monitoring program, and practice monitoring. Respondent was restricted to
20 part-time practice, with a prohibition against administering or dispensing narcotics, and a
21 requirement that he maintain a drug log and use triplicate prescriptions.. The Stipulation and
22 Final Agency Order was based on findings that respondent has a substance abuse disorder.

23 Attached hereto as Exhibit A is a true and correct copy of the Stipulation and
24 Final Agency Order issued by the Colorado State Board of Medical Examiners.

25 6. Respondent's conduct and the action of the Colorado State Board of Medical
26 Examiners as set forth in paragraph 5, above, constitute unprofessional conduct within the
27 meaning of section 2305 and conduct subject to discipline within the meaning of section 141(a).

1 **PRAYER**

2 **WHEREFORE**, the complainant requests that a hearing be held on the matters
3 herein alleged, and that following the hearing, the Division issue a decision:

4 1. Revoking or suspending Physician and Surgeon's Certificate
5 NumberC50474, heretofore issued to respondent Robert Eldon Wright, M.D.;

6 2. Revoking, suspending or denying approval of the respondent's authority to
7 supervise physician assistants;

8 3. Ordering respondent to pay the Division the actual and reasonable costs of
9 the investigation and enforcement of this case and to pay the costs of probation monitoring upon
10 order of the Division; and

11 4. Taking such other and further action as the Division deems necessary and
12 proper.

13
14 DATED: April 29, 2005.

15
16 
17 **DAVID T. THORNTON**
18 Executive Director
19 Medical Board of California
20 Department of Consumer Affairs
21 State of California

22
23
24
25
26
27
Complainant

Exhibit A

BEFORE THE STATE BOARD OF MEDICAL EXAMINERS

STATE OF COLORADO

CASE #2004-003222-A

STIPULATION AND FINAL AGENCY ORDER

IN THE MATTER OF THE DISCIPLINARY PROCEEDING REGARDING THE
LICENSE TO PRACTICE MEDICINE IN THE STATE OF COLORADO OF ROBERT
E. WRIGHT, LICENSE NO. 31074,
Respondent.

IT IS HEREBY STIPULATED and agreed by and between Inquiry Panel A
("Panel") of the Colorado State Board of Medical Examiners ("Board") and Robert E.
Wright, M.D. ("Respondent") as follows:

JURISDICTION AND CASE HISTORY

1. Respondent was licensed to practice medicine in the state of Colorado on July 11, 1991 and was issued license number 31074, which Respondent has held continuously since that date.
2. The Panel and the Board have jurisdiction over Respondent and over the subject matter of this proceeding.
3. On May 5, 2004, Respondent's family found Respondent unresponsive and called 911. En route to the hospital, Respondent was nasally intubated and given Narcan, which reversed Respondent enough so that the paramedics could extubate him. Upon admission to the ER, Respondent became extremely confused and combative, to the extent that the ER staff had to paralyze, sedate, and re-intubate Respondent. Respondent was diagnosed with polysubstance overdose, aspiration pneumonia, respiratory failure, sinus tachycardia, and an abnormal head CT scan.
4. On May 17, 2004, Respondent reported to the Colorado Physician Health Program ("CPHP"). On that date, CPHP did the following:
 - a. Diagnosed a substance abuse disorder;
 - b. Made a treatment recommendation that Respondent admit to an out-of-state residential facility; and
 - c. Recommended that Respondent not practice medicine until cleared by CPHP.
5. On May 17, 2004, Respondent signed a Treatment and Monitoring Agreement with CPHP that included:
 - a. Abstinence from alcohol and other addictive substances;

- tions of the parties shall be deemed to be in full force and effect and shall not be subject to modification.
- b. Random urine drug screens;
 - c. Follow-up at CPHP as scheduled; and
 - d. No return to practice until cleared by CPHP.

6. On May 20, 2004, CPHP recommended that Respondent enter an out-of-state chemical dependency treatment facility for a 10-day in-residence evaluation, which Respondent agreed to do.

7. On July 9, 2004, CPHP recommended that Respondent enter residential treatment in an out-of-state treatment facility for chemical dependency for a period of approximately three months, which Respondent agreed to do.

8. On July 21, 2004, Respondent began chemical dependency treatment at the out-of-state facility recommended by CPHP. The out-of-state treatment facility diagnosed Respondent with: opiod dependence; benzodiazepine dependence; and provisional narcissistic personality disorder.

9. On August 11, 2004, the Panel reviewed case number 2004-003222-A. The Panel thereupon referred the matter to the Attorney General pursuant to C.R.S. § 12-36-118(4)(c)(IV).

10. On September 16, 2004, Respondent entered into a Stipulation for Interim Cessation of Practice ("Interim Stipulation") until CPHP issued a report stating that Respondent is able to practice medicine safely and until such time as the Panel has had an opportunity to review and approve the CPHP report.

11. While the Interim Stipulation was in effect, the Panel stayed summary suspension proceedings that could have been initiated pursuant to C.R.S. § 24-4-104(4).

12. It is the intent of the parties and the purpose of this Stipulation and Final Agency Order ("Order") to provide for a settlement of all matters set forth in case number 2004-003222-A without the necessity of holding a formal disciplinary hearing. This Order constitutes the entire agreement between the parties, and there are no other agreements or promises, written or oral, which modify, interpret, construe or affect this Order.

13. Respondent understands that:

a. Respondent has the right to be represented by an attorney of the Respondent's choice, and Respondent is so represented in this matter;

b. Respondent has the right to a formal disciplinary hearing pursuant to C.R.S. § 12-36-118(5);

c. By entering into this Order, Respondent is knowingly and voluntarily giving up the right to a hearing, admits the facts contained in this Order, and relieves the Panel of its burden of proving such facts; and

d. Respondent is knowingly and voluntarily giving up the right to present a defense by oral and documentary evidence and to cross-examine witnesses who would testify on behalf of the Panel.

14. Respondent admits that the conduct set forth above constitutes unprofessional conduct as defined in C.R.S. § 12-36-117(1)(o).

15. Based upon the above, the Panel is authorized by C.R.S. § 12-36-118(5)(g)(III) to order probation and such conditions upon Respondent's practice that it deems appropriate.

PROBATIONARY TERMS

16. Respondent's license to practice medicine is hereby placed on probation for five years commencing on the effective date of this Order. During the probationary period, Respondent agrees to be bound by the terms and conditions set forth below.

17. The probationary period may be tolled and extended beyond five years in the event that a practice monitor is not providing timely monitoring of Respondent's practice as set forth below in this Order.

ABSTINENCE FROM ADDICTIVE SUBSTANCES

18. Respondent shall totally abstain from the use of alcohol and the use of any habit-forming drug or controlled substance, other than as administered, dispensed or prescribed by an authorized person other than Respondent. Respondent shall use such habit-forming drug or controlled substance only as directed by such authorized person and only for the condition identified by such authorized person.

AUTHORIZED USE OF ADDICTIVE SUBSTANCES

19. Except in the case of a bona fide medical emergency, the Respondent shall not use a habit-forming drug or controlled substance given by an authorized person unless Respondent has received **prior written approval** of the use from the treatment monitor. In the case of a bona fide medical emergency, Respondent may use the habit-forming drug or controlled substance as prescribed by the authorized person, but must notify the treatment monitor within 24 hours of the use. Also within 24 hours of the use, Respondent must obtain written approval from the treatment monitor for continued use of the habit-forming drug or controlled substance.

20. Approvals for the use of habit-forming drugs or controlled substances made by the treatment monitor shall go only to the particular medication, indication, dosage and amount of refills understood and acknowledged by the treatment monitor. The burden shall be on the Respondent to assure that the treatment monitor understands fully the drug regimen the treatment monitor is approving.

TREATMENT MONITORING

21. During the probationary period, Respondent shall receive such medical treatment as is determined to be appropriate by CPHP. All instructions to Respondent by CPHP shall constitute terms of this Order, and Respondent must comply with any

such instructions. Failure to comply with such instructions shall constitute a violation of this Order. CPHP shall also function as the "treatment monitor" as that term is used in this Order. CPHP shall monitor Respondent's compliance with this Order in the following manner:

a. CPHP shall test Respondent's urine to insure compliance with this Order. CPHP shall require Respondent to submit to urine tests on randomly selected days on a frequency of eight times per month. Upon notice to Respondent by CPHP that a urine sample must be given, Respondent must provide a urine sample as soon as possible, but in no event later than 6:00 p.m. that same day. Within these guidelines, CPHP shall make reasonable effort to insure that the Respondent will not be able to predict which days Respondent will be tested. CPHP shall take all reasonable measures, including observation of the giving of the urine sample, to insure that the urine testing is effective.

b. CPHP shall submit quarterly written reports to the Panel. The reports shall briefly describe Respondent's treatment with CPHP. The reports shall also state whether Respondent is in compliance with this Order. If at any time CPHP has reasonable cause to believe that Respondent has violated the terms of this Order, is unable to practice with skill and with safety to patients or has committed unprofessional conduct as defined in § 12-36-117(1), CPHP shall immediately inform the Panel.

22. Respondent shall not consume any substance such as poppy seeds, cough syrup or mouthwash that results in a "false positive" for urine testing. Any false positive caused by the consumption of poppy seeds, cough syrup or mouthwash shall constitute a violation of this Order. Any consumption of any other substance Respondent has reason to believe will cause a false positive shall also constitute a violation of this Order.

23. Nothing in this agreement shall limit the ability of CPHP to test more frequently or for more substances than set forth above or to impose any other condition as part of its treatment of Respondent.

24. Within 30 days of the effective date of this Order (and as often as may reasonably be required to allow the Panel access to Respondent's privileged information), Respondent shall complete an unrestricted release permitting CPHP to disclose to the Panel all privileged information concerning Respondent in its possession. Respondent shall also complete any and all unrestricted releases as are necessary to permit CPHP to disclose to the Panel information generated by other sources. Any revocation of such release by Respondent shall constitute a violation of this Order. In the event Respondent does revoke such release, CPHP may, due to confidentiality concerns, feel compelled to refuse to acknowledge Respondent's participation in CPHP. CPHP's refusal to acknowledge Respondent's participation with that organization shall constitute a violation of this Order.

25. If at any time, CPHP believes that any of the above requirements are no longer necessary, CPHP may relax the requirements as it deems appropriate, and at CPHP's direction, the Respondent may comply with this Order as determined by CPHP. CPHP shall inform the Panel of any such action relaxing the above requirements in its quarterly report. All such reports shall be reviewed by the Board's staff, and, at the staff's discretion, may be reviewed by the Panel. Following receipt and review of such a quarterly report, the Panel reserves the right to reject and nullify CPHP's decision regarding the relaxing of such requirements. If the Panel nullifies CPHP's decision regarding the relaxing of any of the above requirements, the Respondent specifically agrees to comply with the Order as set forth above in accordance with the Panel's directions.

PRACTICE RESTRICTIONS

26. Respondent may return to practice on a part-time basis of 20-25 hours per week. Respondent's work schedule may be modified by as necessary by CPHP without further input from the Panel.

27. During the period of probation, Respondent is restricted from administering or dispensing any narcotics in his office.

28. Respondent will keep an up-to-date log of every habit-forming drug and controlled substance that he prescribes. This log will contain the following: the names of the individual patients; the date that all habit-forming drugs and controlled substances were prescribed; the amount prescribed; the diagnosis for which the habit-forming drugs or controlled substances were prescribed; and a statement regarding whether the person has signed a pain management contract. At a minimum, the practice monitor will review this log on a monthly basis.

29. All prescriptions that Respondent provides for any habit-forming drug or controlled substance must be written in sequential order on triplicate prescription forms. At a minimum, the practice monitor will review the triplicate prescription forms on a monthly basis. These prescription forms will be provided to CPHP, the Board, and the Drug Enforcement Agency upon request.

30. Respondent agrees that any agent of the Drug Enforcement Agency may search all portions of his medical office and may review any document relating to controlled substances without the necessity of a search warrant.

PRACTICE MONITORING

31. During the probationary period, a "practice monitor" shall monitor Respondent's medical practice. Within 30 days of the effective date of this Order, the Respondent shall nominate, in writing, a proposed practice monitor for the Panel's approval. The nominee shall be a physician licensed by the Board and currently practicing medicine in Colorado. The nominee shall have no financial interest in Respondent's practice of medicine. The nominee must be knowledgeable in Respondent's area of practice. If Respondent is board certified in an area of practice, it is preferred, but not required, that the nominee be board certified by that same

board. If the Respondent has privileges at hospitals, it is preferred, but not required, that the nominee have privileges at as many of those same hospitals as possible. The Board shall not have disciplined the nominee.

32. Respondent's nomination for practice monitor shall set forth how the nominee meets the above criteria. With the written nomination, Respondent shall submit a letter signed by the nominee as well as a current *curriculum vitae* of the nominee. The letter from the nominee shall contain a statement from the nominee indicating that the nominee has read this Order and understands and agrees to perform the obligations set forth herein. The nominee must also state that the nominee can be fair and impartial in the review of the Respondent's practice.

33. Upon approval by the Panel, the practice monitor shall perform the following:

a. Each month, the practice monitor shall visit all the offices at which Respondent practices medicine and review at least five charts maintained by Respondent. The practice monitor shall make reasonable efforts to insure that Respondent has no notice of which charts will be selected for review. The practice monitor is authorized to review such other medical records maintained by Respondent as the practice monitor deems appropriate.

b. Each month, the practice monitor shall review at least five hospital charts of patients whom Respondent has admitted to, evaluated at, or treated at hospitals. If Respondent has admitted, evaluated, or treated fewer than five patients, the practice monitor shall review all the patients so admitted, evaluated, or treated, if any. The practice monitor shall make reasonable efforts to insure that Respondent has no notice of which charts will be selected for review. The practice monitor is authorized to review such other hospital charts as the practice monitor deems appropriate.

c. The practice monitor shall submit quarterly written reports to the Panel.

d. The practice monitor's reports shall include the following:

i. a description of each of the cases reviewed; and

ii. as to each case reviewed, the practice monitor's opinion whether Respondent is practicing medicine in accordance with generally accepted standards of medical practice.

34. If at any time the practice monitor believes Respondent is not in compliance with this Order, is unable to practice with skill and safety to patients, or has otherwise committed unprofessional conduct as defined in § 12-36-117(1), C.R.S., the practice monitor shall immediately inform the Panel.

35. It is the responsibility of the Respondent to assure that the practice monitor's reports are timely and complete. Failure of the practice monitor to perform the duties set forth above may result in a notice from Board staff requiring the nomination of a new practice monitor. Upon such notification, Respondent shall nominate a new practice monitor according to the procedure set forth above. Respondent shall nominate the new monitor within 30 days of such notice. Failure to nominate a new monitor within 30 days of such notification shall constitute a violation of this Order.

TOLLING OF THE PROBATIONARY PERIOD WHEN PRACTICE MONITORING IS NOT IN EFFECT

36. If a practice monitor nominated by Respondent and approved by the Panel does not commence practice monitoring within three months of the effective date of the Order, the period of probation shall be tolled for the time the Order is in effect and Respondent's practice is not being monitored by the practice monitor. Additionally if the Respondent is required to nominate a new practice monitor, the period of probation shall be tolled for any period of time during which a practice monitor is not monitoring Respondent's practice.

37. Respondent must comply with all other terms of the Order and all other terms of probation. Unless otherwise specified, all terms of the Order and all terms of probation shall remain in effect, regardless of whether the probationary period has been tolled, from the effective date of this Order until probation is terminated.

EARLY TERMINATION FROM PRACTICE MONITORING

38. Eighteen months after the commencement of the probationary period, Respondent may petition the Panel for early termination of practice monitoring. The parties agree that the Panel's decision regarding such a petition shall be made at the sole discretion of the Panel. Respondent hereby waives the right to appeal the Panel decision on this issue.

OUT OF STATE PRACTICE

39. Respondent may wish to leave Colorado and practice in another state. At any time, whether to practice out of state or for any other reason, Respondent may request that the Board place Respondent's license on inactive status as set forth in C.R.S. § 12-36-137. Upon the approval of such request, Respondent may cease to comply with this Order. Failure to comply with this Order while inactive shall not constitute a violation of this Order. While inactive, Respondent shall not perform any act in the state of Colorado that constitutes the practice of medicine, nor shall Respondent perform any act in any other location pursuant to the authority of a license to practice medicine granted by the state of Colorado. Unless Respondent's license is inactive, Respondent must comply with all provisions of this Order, irrespective of Respondent's location. The probationary period will be tolled for any period of time Respondent's license is inactive.

40. Respondent may resume the active practice of medicine at any time as set forth in C.R.S. § 12-36-137(5). With such request, Respondent shall nominate a suitable practice monitor as provided above and Respondent shall cause CPHP to perform an updated evaluation of Respondent. Respondent shall be permitted to resume the active practice of medicine only after approval of the practice monitor and only after submission of and approval of an updated evaluation from CPHP.

TERMINATION OF PROBATION

41. Upon the expiration of the probationary period, Respondent may request restoration of Respondent's license to unrestricted status. If Respondent has complied with the terms of probation, and if Respondent's probationary period has not been tolled, such release shall be granted by the Panel in the form of written notice.

OTHER TERMS

42. The terms of this Order were mutually negotiated and determined.

43. Both parties acknowledge that they understand the legal consequences of this Order, both parties enter into this Order voluntarily, and both parties agree that no term or condition of this Order is unconscionable.

44. All costs and expenses incurred by Respondent to comply with this Order shall be the sole responsibility of Respondent, and shall in no way be the obligation of the Board or Panel.

45. Respondent shall obey all state and federal laws during the probationary period.

46. So that the Board may notify hospitals of this agreement pursuant to C.R.S. § 12-36-118(13), Respondent presently holds privileges at the following hospitals:

Health One System: Swedish Medical Center, Centraal Surgery Center

Greenwood Ambulatory Surgery Center

Bel Mar Ambulatory Surgery Center

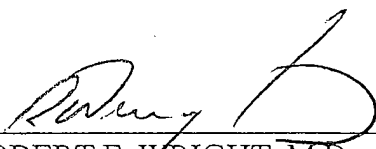
47. This Order and all its terms shall have the same force and effect as an order entered after a formal hearing pursuant to C.R.S. § 12-36-118(5)(g)(III) except that it may not be appealed. Failure to comply with the terms of this Order may be sanctioned by the Inquiry Panel as set forth in C.R.S. § 12-36-118(5)(g)(IV). This Order and all its terms also constitute a valid board order for purposes of C.R.S. § 12-36-117(1)(u). In addition to any other sanction that may be imposed, failure to comply with the terms of this Order shall toll the probationary period.

48. This Order shall be admissible as evidence at any future hearing before the Board.

49. During the pendency of any action arising out of this Order, the obligations of the parties shall be deemed to be in full force and effect and shall not be tolled.

50. This Order shall be effective upon approval by the Panel and signature by a Panel member or the Board's Program Director. Respondent acknowledges that the Panel may choose not to accept the terms of this Order and that if the Order is not approved by the Panel and signed by a Panel member or the Board's Program Director, it is void.

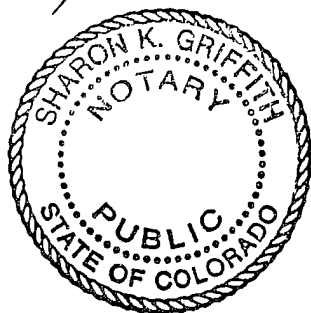
51. Upon becoming effective, this Order shall be open to public inspection and publicized pursuant to the Board's standard policies and procedures. Additionally, this Order shall be reported the Federation of State Medical Boards, the National Practitioner Data Bank/Healthcare Integrity and Protection Data Bank and as otherwise required by law.


ROBERT E. WRIGHT, M.D.

The foregoing was acknowledged before me this 14th day of

January

, 2005 by Robert E. Wright, M.D.




NOTARY PUBLIC

4-11-07
My commission expires

THE FOREGOING Stipulation and Final Agency Order is approved and is
effective this 18th day of January, 2005.

FOR THE COLORADO STATE BOARD
OF
MEDICAL EXAMINERS
INQUIRY PANEL A

Ausan Meltzer, Program Director

APPROVED AS TO FORM:

SILVER & DEBOSKEY, P.C.
Attorneys at Law

G. Blum
Gary B. Blum, #3892
Silver & DeBoskey, P.C.

Attorney for the Respondent

1801 York St.
Denver, Colorado 80206
Telephone: (303) 399-3000
FAX: (303) 399-2650

JOHN SUTHERS
Attorney General

Victoria E. Lovato
*Victoria E. Lovato, #31700
Assistant Attorney General
Business and Licensing Section

Attorneys for Board of Medical Examiners,
Inquiry Panel A

1525 Sherman Street, 5th Floor
Denver, Colorado 80203
Telephone: (303) 866-4579
FAX: (303) 866-5395
*Counsel of Record

REC'D SEP 08 2004

BEFORE THE STATE BOARD OF MEDICAL EXAMINERS

STATE OF COLORADO

CASE #2004-003222-A

STIPULATION FOR INTERIM CESSATION OF PRACTICE

IN THE MATTER OF THE DISCIPLINARY PROCEEDING REGARDING THE LICENSE TO PRACTICE MEDICINE IN THE STATE OF COLORADO OF ROBERT E. WRIGHT, LICENSE NO. 31074,
Respondent.

IT IS HEREBY STIPULATED and agreed by and between Inquiry Panel A ("Panel") of the Colorado State Board of Medical Examiners ("Board") and Robert E. Wright, M.D. ("Respondent") as follows:

1. Respondent was licensed to practice medicine in the state of Colorado on July 11, 1991, and has been so licensed at all relevant times herein.
2. The Panel has jurisdiction over Respondent and over the subject matter of this proceeding.
3. Respondent self-reported to Colorado Physician Health Program ("CPHP") on May 17, 2004 and entered into a treatment and monitoring agreement with CPHP relating to polysubstance use. On July 21, 2004, Respondent began treatment with an out-of state program as recommended by CPHP.
4. Respondent agrees that he will not perform any act requiring a license issued by the Board until such time as CPHP issues a report stating that he is able to practice medicine safely and until such time as the Panel has had an opportunity to review and approve such a CPHP report. The CPHP report shall be considered by the Panel at that meeting of the Panel for which the report has been timely submitted by the agenda deadline.
5. While this Stipulation for Interim Cessation of Practice ("Stipulation") is in effect, the Panel agrees that it will stay summary suspension proceedings that could be initiated pursuant to § 24-4-104(4), C.R.S., so long as the Respondent remains in compliance with this Stipulation.
6. Nothing in this Stipulation shall constitute disciplinary action, a finding that Respondent has engaged in unprofessional conduct or any admission by Respondent of unprofessional conduct. Nothing in this Stipulation shall preclude the Panel from initiating disciplinary action pursuant to § 12-36-118, C.R.S. even while this Stipulation is in effect.

7. Respondent agrees to cooperate fully with any examinations or evaluations ordered by CPHP and to provide all necessary releases to CPHP to communicate freely with the Panel.

8. The terms of this Stipulation were mutually negotiated and determined.

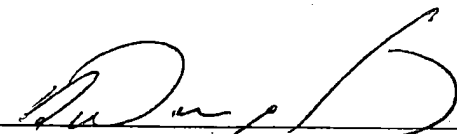
9. Both parties acknowledge that they understand the legal consequences of this Stipulation; both parties enter into this Stipulation voluntarily; and both parties agree that no term or condition of this Stipulation is unconscionable.

10. This Stipulation and all its terms constitute a valid board order for purposes of § 12-36-117(1)(u), C.R.S.

11. Invalidation of any portion of this Stipulation by judgment or court order shall in no way affect any other provision, which provision shall remain in full force and effect.

12. This Stipulation shall be effective upon signature by a Panel member. Respondent acknowledges that if the Stipulation is not approved by the Panel and signed by a Panel member, it is void.

13. This Stipulation shall constitute a public record but is not reportable to the National Practitioner Data Bank or Healthcare and Integrity Protection Data Bank.


ROBERT E. WRIGHT, M.D.

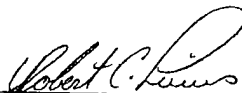
The foregoing was acknowledged before me this 24th day of September,
2004 by Robert E. Wright, M.D.


NOTARY PUBLIC

7-31-2006
My commission expires

THE FOREGOING Stipulation for Interim Cessation of Practice is approved and
effective this 16th day of September, 2004.

FOR THE COLORADO STATE BOARD OF
MEDICAL EXAMINERS
INQUIRY PANEL A



APPROVED AS TO FORM:

SILVER & DEBOSKEY, P.C.
Attorneys at Law

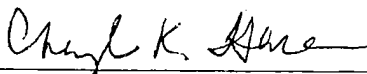


Gary B. Blum, #3892
Silver & DeBoskey, P.C.

Attorney for the Respondent

1801 York St.
Denver, Colorado 80206
Telephone: (303) 399-3000
FAX: (303) 399-2650

KEN SALAZAR
Attorney General



*Cheryl K. Hara, #16017
Assistant Attorney General
Business and Licensing Section

Attorneys for Board of Medical Examiners,
Inquiry Panel A

1525 Sherman Street, 5th Floor
Denver, Colorado 80203
Telephone: (303) 866-5286
FAX: (303) 866-5395
*Counsel of Record